



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/891,792	06/25/2001	Myron P. Hattig	042390.P6957D	2630
7590	11/14/2006			EXAMINER FERRIS, DERRICK W
Marina Portnova BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP Seventh Floor 12400 Wilshire Boulevard Los Angeles, CA 90025-1026			ART UNIT 2616	PAPER NUMBER
				DATE MAILED: 11/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/891,792	HATTIG, MYRON P.	
	Examiner	Art Unit	
	Derrick W. Ferris	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 25 June 2001.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 29-46 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 29-46 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 10 November 2005 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date _____.
 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date _____.
 5) Notice of Informal Patent Application
 6) Other: _____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: Please add domestic priority information to the specification with respect to parent application 09/891,729 filed 4/12/1999 now U.S. Patent # 6,466,549.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. **Claim 46** is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, claim 46 is a duplicate of claim 44. Claim 46 should probably be amended to depend on claim 45.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 29, 31, 32, 43, and 44** are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,366,964 B1 to *Shima et al.* ("Shima").

As to **claim 29**, in response to a reset of a 1394 bus, generating advertised discovery information by every device connected to a network is taught e.g., as step 104 in figure 4. In particular, advertised discover information is the information transmitted during the “self identifying process”. Specifically, see e.g., bottom of column 2 which teaches that *each* node connected to the IEEE 1394-1995 serial bus selects a unique physical ID and transmits the physical ID and management information to the other nodes on the bus and column 6. Receiving the advertised discovery information of every device connected to the 1394 bus by each discovery device in the network is taught where a “discovery device” is a node that includes monitoring and control applications, see e.g., column 5, lines 29-42. Each discovering device maintaining a list of devices in the network and a list of services associated with each device in the network using the advertised discovery information is taught as receiving by the monitoring node object and subobject information. In particular, see e.g., column 6, lines 27-52 where each device transmits its self-identification information including its characteristics (i.e., list of services), unique ID and physical ID.

As to **claim 31**, see e.g., bottom of column 6 with respect to a consumer electronic device, peripheral device, cable modem or personal computer.

As to **claim 32**, see e.g., column 6, lines 29-54 with respect to objects and subobjects respectfully.

As to **claim 43**, sees similar rejection to claim 29.

As to **claim 44**, sees similar rejection to claim 32.

6. **Claims 29-46** are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 5,978,854 A to *Fujimori et al.* ("Fujimori").

As to **claim 29**, in response to a reset of a 1394 bus, generating advertised discovery information by every device connected to a network is taught e.g., as sending an ARP or RARP requests. In particular, after a bus reset ARPs or RARPs are sent by every node, see e.g., column 3. A device is taught as a node shown e.g., in figure 2. Receiving the advertised discovery information of every device connected to the 1394 bus by each discovery device in the network is taught as the received information or response information from the ARP or RARP. Each discovering device maintaining a list of devices in the network and a list of services associated with each device in the network using the advertised discovery information is taught as address cache table. In particular, each node maintains an address cache table which contains the node IDs and IP addresses (e.g., the ARP data 38) or list of devices and services associated with each device.

As to **claim 30**, see e.g., figure 2 with respect to bridge 28.

As to **claim 31**, a node is at least a consumer electronic device, peripheral device, or personal computer.

As to **claim 32**, the device and service information is the information returned in the ARP or RARP response packet.

As to **claim 33**, see similar rejection to claim 29. In addition, a solicit packet is taught as e.g., an ARP or RARP request packet. The asynchronous packet header 30 further includes the bus identifier, see e.g., column 3, lines 54-67.

As to **claim 34**, see similar rejection to claim 31.

As to **claims 35-36**, the global bus identifier and identifier of a certain bus is the broadcast bus indication, see e.g., column 3, lines 54-67.

As to **claim 37**, sees similar rejection to claim 32.

As to **claim 38**, sees similar rejection to claim 33. The nodes and bus bridge are further shown e.g., in figure 2.

As to **claim 39**, sees similar rejection to claim 31.

As to **claim 40**, sees similar rejection to claim 35.

As to **claim 41**, sees similar rejection to claim 36.

As to **claim 42**, sees similar rejection to claim 37.

As to **claim 43**, sees similar rejection to claim 29.

As to **claim 44**, sees similar rejection to claim 32.

As to **claim 45**, sees similar rejection to claim 33.

As to **claim 46**, sees similar rejection to claim 32.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. **Claim 30** is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,366,964 B1 to *Shima et al.* ("Shima") in view of "IEEE Standard for a High Performance Serial Bus" to *IEEE*.

As to **claim 30**, *Shima* discloses a network and a 1394 bus but is further or silent or deficient to a bridge or second 1394 bus.

IEEE teaches the further recited limitation above at e.g., Section 1.4.3 Bus Bridge on page 3.

The proposed modification of the above-applied reference(s) necessary to arrive at the claimed subject matter would be to modify *Shima* by including a bridge and second 1394 bus.

As such, the examiner notes that it would have been obvious to one skilled in the art prior to applicant's invention to include the above limitation. In particular, the motivation for modifying the reference or to combine the reference teachings would be to communicate with a remote node on a second bus. In particular, *IEEE* cures the above-cited deficiency by providing a motivation found at e.g., page 3. Second, there would be a reasonable expectation of success since both references teach IEEE 1394.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Derrick W. Ferris whose telephone number is (571) 272-3123. The examiner can normally be reached on M-F 9 A.M. - 4:30 P.M. E.S.T.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571)272-3134. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Derrick W. Ferris
Examiner
Art Unit 2616


DWF


11/06/04

**DERRICK W. FERRIS
PRIMARY PATENT EXAMINER**